IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.1432 OF 2006
IN
APPEAL (LDG.) NO.279 OF 2006
IN
ARBITRATION PETITION NO.164 OF 2005

M/s.Goldcrest Exports ....Appellant
V/s.
M/s.Swissgen N.V. & Anr. ....Respondents

Mr.Jaykar i/b M/s.Khaitan & Jaykar for the Appellant.

Mr.Zal Andhyarujina for the Respondents.

CORAM : DR.S. RADHAKRISHNAN &
S.J. VAZIFDAR, JJ.
DATED : 5TH MAY, 2006.

P.C. :

1. Heard the learned counsel for the Appellant and the learned counsel for the Respondents.

2. By this Notice of Motion, the Appellant is seeking condonation of 229 days in filing the Appeal. Perused the affidavit in support of the Notice of Motion.

3. The affidavit in support discloses that the Appellant had taken certain proceedings before the Hon'ble Supreme Court and also another proceedings before this Court. Having regard to the facts and

circumstances of the case, sufficient cause is made out for condoning the delay of 229 days. There is no case of inaction, negligence or want of bona-fide on the part of the Appellant. Hence, the Notice of Motion is made absolute in terms of prayer clause (a).

(DR.S. RADHAKRISHNAN, J.)

(S.J. VAZIFDAR, J.)